

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE REFCO INC. SECURITIES LITIGATION : CASE NO. 07-MD-1902 (JSR)

This document relates to:

KENNETH M. KRYS, *ET AL.* :
Plaintiffs, : CASE NO. 08-CV-3086 (JSR)
-against- :
CHRISTOPHER SUGRUE, *ET AL.*, :
Defendants. :
: :
:

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT upon the accompanying Moving Defendants' Memorandum in Support of Summary Judgment, and the accompanying Rule 56.1 Statement and Declaration of James J. Capra, Jr., dated August 2, 2012 (and exhibits thereto), the undersigned will move this Court for an order dismissing the remaining count of the Amended Complaint directed at Grant Thornton LLP and Mark Ramler (Count XVII) pursuant to Rule 56 of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court deems just and proper.¹

PLEASE TAKE FURTHER NOTICE THAT in accordance with the directive of the Special Master, Plaintiffs' response to the motion is due on August 23, 2012.

¹ In seeking leave to file these motions, Moving Defendants reserved their right to move for summary judgment on other grounds at the appropriate time, if necessary. Plaintiffs consented to these motions being heard on an expedited basis in advance of summary judgment motions on other issues, and the Special Master, in consultation with the Court, agreed to hear them at this time.

Dated: August 2, 2012
New York, New York

Respectfully submitted,
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